

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**1:10cv127**

**[consolidating 1:10cv127, 1:10cv128, 1:10cv 129]**

<b>JOSEPH JACOB DEYTON;</b>	)	
<b>ANDREW RYAN DEYTON, and</b>	)	
<b>JONATHAN NEIL KONIAK,</b>	)	
	)	
<b>Petitioners,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>ALVIN W. KELLER, Secretary of</b>	)	
<b>the North Carolina Department</b>	)	
<b>of Correction; and LANDER</b>	)	
<b>CORPENING, Superintendent of</b>	)	
<b>Foothills Correctional Institution,</b>	)	
	)	
<b>Respondents.</b>	)	
_____	)	

**THIS MATTER** is before the court on respondents' Motion to Consolidate. Having considered respondents' motion and reviewed the pleadings, and it appearing that petitioners consent, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that respondents' Motions to Consolidate are **GRANTED**, and 1:10cv127 will be the lead case and the 1:10cv128 and 1:10cv129 cases will be the member cases.

**IT IS FURTHER ORDERED** that all pleadings shall be docketed in the lead case and that the consolidated cases 1:10cv128 and 1:10cv129 are administratively closed.

Signed: September 21, 2010

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Dennis L. Howell  
United States Magistrate Judge

